

97TH CONGRESS
1ST SESSION

H. R. 4814

To authorize appropriations for fiscal years 1982 and 1983 for the Department of State, the International Communication Agency, and the Board for International Broadcasting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 22, 1981

Mr. FASCELL (for himself, Mr. ZABLOCKI, and Mr. BROOMFIELD) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To authorize appropriations for fiscal years 1982 and 1983 for the Department of State, the International Communication Agency, and the Board for International Broadcasting, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **TITLE I—DEPARTMENT OF STATE**

4 **SHORT TITLE**

5 SEC. 101. This title may be cited as the "Department of
6 State Authorization Act, Fiscal Years 1982 and 1983".

1 AUTHORIZATIONS OF APPROPRIATIONS

2 SEC. 102. There are authorized to be appropriated for
3 the Department of State to carry out the authorities, func-
4 tions, duties, and responsibilities in the conduct of the foreign
5 affairs of the United States and other purposes authorized by
6 law, the following amounts:

7 (1) For "Administration of Foreign Affairs",
8 \$1,245,637,000 for the fiscal year 1982 and
9 \$1,248,059,000 for the fiscal year 1983.

10 (2) For "International Organizations and Confer-
11 ences", \$503,462,000 for the fiscal year 1982 and
12 \$514,436,000 for the fiscal year 1983.

13 (3) For "International Commissions",
14 \$19,808,000 for the fiscal year 1982 and \$22,432,000
15 for the fiscal year 1983.

16 (4) For "Migration and Refugee Assistance",
17 \$504,100,000 for the fiscal year 1982 and
18 \$460,000,000 for the fiscal year 1983.

19 PALESTINIAN RIGHTS UNITS

20 SEC. 103. Funds appropriated under paragraph (2) of
21 section 102 of this Act may not be used for payment by the
22 United States, as its contribution toward the assessed budget
23 of the United Nations for any year, of any amount which
24 would cause the total amount paid by the United States as its

1 assessed contribution for that year to exceed the amount as-
2 sessed as the United States contribution for that year less—

3 (1) 25 percent of the amount budgeted for that
4 year for the Committee on the Exercise of the Inalien-
5 able Rights of the Palestinian People (or any similar
6 successor entity), and

7 (2) 25 percent of the amount budgeted for that
8 year for the Special Unit on Palestinian Rights (or any
9 similar successor entity).

10 RESTRICTION ON CONTRIBUTIONS TO THE UNITED NA-
11 TIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL OR-
12 GANIZATION

13 SEC. 104. (a) None of the funds authorized to be appro-
14 priated by section 102(2) of this Act or by any other Act for
15 "International Organizations and Conferences" may be used
16 for payment by the United States of its contribution toward
17 the assessed budget of the United Nations Educational, Sci-
18 entific and Cultural Organization if that organization imple-
19 ments any policy or procedure the effect of which is to license
20 journalists or their publications, to censor or otherwise re-
21 strict the free flow of information within or among countries,
22 or to impose mandatory codes of journalistic practice or
23 ethics.

24 (b) Not later than February 1 of each year, the Secre-
25 tary of State shall report to the Congress with respect to

1 whether the United Nations Educational, Scientific and Cul-
2 tural Organization has taken any action described in subsec-
3 tion (a) of this section.

4 EX GRATIA PAYMENT

5 SEC. 105. Of the amount appropriated for the fiscal year
6 1982 under paragraph (1) of section 102 of this Act, \$81,000
7 shall be available for payment ex gratia to the Government of
8 Yugoslavia as an expression of concern by the United States
9 Government for the injuries sustained by a Yugoslav national
10 as a result of an attack on him in New York City.

11 ASSISTANCE FOR REFUGEES SETTLING IN ISRAEL

12 SEC. 106. Of the amounts authorized to be appropriated
13 by paragraph (4) of section 102 of this Act, \$12,500,000 for
14 the fiscal year 1982 and \$15,000,000 for the fiscal year
15 1983 shall be available only for assistance for the resettle-
16 ment in Israel of refugees from the Union of Soviet Socialist
17 Republics and from Communist countries in Eastern Europe.

18 BILATERAL SCIENCE AND TECHNOLOGY AGREEMENTS

19 SEC. 107. In addition to the amounts authorized to be
20 appropriated by section 102 of this Act, there are authorized
21 to be appropriated to the Secretary of State \$3,700,000 for
22 the fiscal year 1982 and \$3,700,000 for the fiscal year 1983
23 for payment of the United States share of expenses of the
24 science and technology agreements between the United

1 States and Yugoslavia and between the United States and
2 Poland.

3 BUYING POWER MAINTENANCE

4 SEC. 108. (a) Section 24(b) of the State Department
5 Basic Authorities Act of 1956 (22 U.S.C. 2696(b)) is amend-
6 ed to read as follows:

7 “(b)(1) In order to maintain the levels of program activi-
8 ty for the Department of State provided for each fiscal year
9 by the annual authorizing legislation, there are authorized to
10 be appropriated for the Department of State such sums as
11 may be necessary to offset adverse fluctuations in foreign
12 currency exchange rates, or overseas wage and price
13 changes, which occur after November 30 of the calendar year
14 preceding the enactment of the authorizing legislation for
15 such fiscal year.

16 “(2) In carrying out this subsection, there may be estab-
17 lished a Buying Power Maintenance account.

18 “(3) In order to eliminate substantial gains to the ap-
19 proved levels of overseas operations for the Department of
20 State, the Secretary of State may transfer to the Buying
21 Power Maintenance account such amounts in any appropri-
22 ation account under the heading ‘Administration of Foreign
23 Affairs’ as the Secretary determines are excessive to the
24 needs of the approved level of operations under that appropri-

1 ation account because of fluctuations in foreign currency ex-
2 change rates or changes in overseas wages and prices.

3 “(4) In order to offset adverse fluctuations in foreign
4 currency exchange rates or overseas wage and price changes,
5 the Secretary of State may transfer from the Buying Power
6 Maintenance account to any appropriation account under the
7 heading ‘Administration of Foreign Affairs’ such amounts as
8 the Secretary determines are necessary to maintain the ap-
9 proved level of operations under that appropriation account.

10 “(5) Funds transferred by the Secretary of State from
11 the Buying Power Maintenance account to another account
12 shall be merged with and be available for the same purpose,
13 and for the same time period, as the funds in that other ac-
14 count. Funds transferred by the Secretary from another ac-
15 count to the Buying Power Maintenance account shall be
16 merged with the funds in the Buying Power Maintenance
17 account and shall be available for the purposes of that ac-
18 count until expended.

19 “(6) Any restriction contained in an appropriation Act
20 or other provision of law limiting the amounts available for
21 the Department of State that may be obligated or expended
22 shall be deemed to be adjusted to the extent necessary to
23 offset the net effect of fluctuations in foreign currency ex-
24 change rates or overseas wage and price changes in order to
25 maintain approved levels.”.

1 (b) Section 704(c) of the United States Information and
2 Educational Exchange Act of 1948 (22 U.S.C. 1477b(c)) is
3 amended—

4 (1) by inserting “, or overseas wage and price
5 changes,” immediately after “foreign currency ex-
6 change rates”; and

7 (2) by striking out “preceding” and inserting in
8 lieu thereof “calendar year preceding the enactment of
9 the authorizing legislation for such”.

10 (c) Section 8(a)(2) of the Board for International Broad-
11 casting Act of 1973 (22 U.S.C. 2287(a)(2)) is amended—

12 (1) in the first sentence, by inserting “, or over-
13 seas wage and price changes,” immediately after “for-
14 eign currency exchange rates”;

15 (2) in the first sentence, by striking out “preced-
16 ing” and inserting in lieu thereof “calendar year pre-
17 ceding the enactment of the amendments to paragraph
18 (1) which provide the authorization for such”; and

19 (3) in the second sentence, by inserting “or such
20 changes” immediately after “such fluctuations”.

21 PASSPORT FEES AND PERIOD OF VALIDITY

22 SEC. 109. (a) The first sentence of section 1 under the
23 heading “FEES FOR PASSPORTS AND VISAS” of the Act of
24 June 4, 1920 (22 U.S.C. 214), is amended to read as follows:
25 “There shall be collected and paid into the Treasury of the

1 United States a fee, prescribed by the Secretary of State by
2 regulation, for each passport issued and a fee, prescribed by
3 the Secretary of State by regulation, for executing each ap-
4 plication for a passport.”.

5 (b)(1) Section 2 of the Act entitled “An Act to regulate
6 the issue and validity of passports, and for other purposes”,
7 approved July 3, 1926 (22 U.S.C. 217a), is amended to read
8 as follows:

9 “SEC. 2. A passport shall be valid for a period of ten
10 years from the date of issue, except that the Secretary of
11 State may limit the validity of a passport to a period of less
12 than ten years in an individual case or on a general basis
13 pursuant to regulation.”.

14 (2) The amendment made by this subsection applies
15 with respect to passports issued after the date of enactment
16 of this Act.

17 DOCUMENTATION OF CITIZENSHIP

18 SEC. 110. The State Department Basic Authorities Act
19 of 1956 is amended by inserting the following new section 33
20 immediately after section 32 and by redesignating existing
21 section 33 as section 34:

22 “SEC. 33. The following documents shall have the same
23 force and effect as proof of United States citizenship as
24 certificates of naturalization or of citizenship issued by the

1 Attorney General or by a court having naturalization juris-
2 diction:

3 “(1) A passport, during its period of validity (if
4 such period is the maximum period authorized by law),
5 issued by the Secretary of State to a citizen of the
6 United States.

7 “(2) The report, designated as a ‘Report of Birth
8 Abroad of a Citizen of the United States’, issued by a
9 consular officer to document a citizen born abroad.”.

10 PAN AMERICAN INSTITUTE OF GEOGRAPHY AND HISTORY
11 SEC. 111. Paragraph (1) of the first section of the joint
12 resolution entitled “Joint resolution to provide for member-
13 ship of the United States in the Pan American Institute of
14 Geography and History; and to authorize the President to
15 extend an invitation for the next general assembly of the in-
16 stitute to meet in the United States in 1935, and to provide
17 an appropriation for expenses thereof”, approved August 2,
18 1935 (22 U.S.C. 273), is amended by striking out “, not to
19 exceed \$200,000 annually,”.

20 INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF
21 PRIVATE LAW AND THE HAGUE CONFERENCE ON PRI-
22 VATE INTERNATIONAL LAW

23 SEC. 112. Section 2 of the joint resolution entitled
24 “Joint resolution to provide for participation by the Govern-
25 ment of the United States in the Hague Conference on Pri-

1 vate International Law and the International (Rome) Insti-
2 tute for the Unification of Private Law, and authorizing ap-
3 propriations therefor", approved December 30, 1963 (22
4 U.S.C. 269g-1), is amended by striking out " , except that"
5 and all that follows through "that year".

6 PAN AMERICAN RAILWAY CONGRESS

7 SEC. 113. Section 2(a) of the joint resolution entitled
8 "Joint resolution providing for participation by the Govern-
9 ment of the United States in the Pan American Railway
10 Congress, and authorizing an appropriation therefor", ap-
11 proved June 28, 1948 (22 U.S.C. 280k), is amended by
12 striking out "Not more than \$15,000 annually" and inserting
13 in lieu thereof "Such sums as may be necessary".

14 UNITED STATES REPRESENTATIVE TO INTERNATIONAL
15 ORGANIZATIONS IN VIENNA

16 SEC. 114. Section 2 of the United Nations Participation
17 Act of 1945 (22 U.S.C. 287) is amended by adding at the
18 end thereof the following new subsection:

19 "(h) The President, by and with the advice and consent
20 of the Senate, shall appoint a representative of the United
21 States to the Vienna office of the United Nations with appro-
22 priate rank and status, who shall serve at the pleasure of the
23 President and subject to the direction of the Secretary of
24 State. Such individual shall, at the direction of the Secretary
25 of State, represent the United States at the Vienna office of

1 the United Nations and perform such other functions there in
2 connection with the participation of the United States in in-
3 ternational organizations as the Secretary of State from time
4 to time may direct.”.

5 LIVING QUARTERS FOR THE STAFF OF THE UNITED

6 STATES REPRESENTATIVE TO THE UNITED NATIONS

7 SEC. 115. Section 8 of the United Nations Participation
8 Act of 1945 (22 U.S.C. 287e) is amended—

9 (1) by striking out “representative of the United
10 States to the United Nations referred to in paragraph
11 (a) of section 2 hereof” and inserting in lieu thereof
12 “representatives provided for in section 2 of this Act
13 and of their appropriate staffs”; and

14 (2) by adding at the end thereof the following:
15 “Any payments made by United States Government
16 personnel for occupancy by them of living quarters
17 leased or rented under this section shall be credited to
18 the appropriation, fund, or account utilized by the Sec-
19 retary of State for such lease or rental or to the appro-
20 priation, fund, or account currently available for such
21 purpose.”.

22 AMENDMENTS CORRECTING PRINTING ERRORS

23 SEC. 116. The Foreign Service Act of 1980 is
24 amended—

1 (1) in section 704(b)(2) (22 U.S.C. 4024(b)(2)) by
2 striking out "411" and inserting in lieu thereof "412";
3 and

4 (2) in section 814(a)(3) (22 U.S.C. 4054(a)(3)) by
5 striking out "on" the second place it appears in the
6 first sentence and inserting in lieu thereof "or".

7 PRIVATE SECTOR REPRESENTATIVES ON UNITED STATES
8 DELEGATIONS TO INTERNATIONAL TELECOMMUNICA-
9 TIONS MEETINGS AND CONFERENCES

10 SEC. 117. (a) Sections 203, 205, 207, and 208 of title
11 18, United States Code, shall not apply to a private sector
12 representative on the United States delegation to an interna-
13 tional telecommunications meeting or conference who is spe-
14 cifically designated to speak on behalf of or otherwise repre-
15 sent the interests of the United States at such meeting or
16 conference with respect to a particular matter, if the Secre-
17 tary of State (or his designee) certifies that no Government
18 employee on the delegation is as well qualified to represent
19 United States interests with respect to such matter and that
20 such designation serves the national interest. All such repre-
21 sentatives shall have on file with the Department of State the
22 financial disclosure report required for special Government
23 employees.

24 (b) As used in this section, the term "international tele-
25 communications meeting or conference" means the confer-

1 ences of the International Telecommunications Union, meet-
2 ings of its International Consultative Committees for Radio
3 and for Telephone and Telegraph, and such other interna-
4 tional telecommunications meetings or conferences as the
5 Secretary of State may designate.

PROCUREMENT CONTRACTS

7 SEC. 118. The State Department Basic Authorities Act
8 of 1956 is amended by inserting the following new section
9 immediately after section 13:

10 “SEC. 14. (a) Any contract for the procurement of prop-
11 erty or services, or both, for the Department of State or the
12 Foreign Service which is funded on the basis of annual ap-
13 propriations may nevertheless be made for periods not in
14 excess of five years when—

15 “(1) appropriations are available and adequate for
16 payment for the first fiscal year and for all potential
17 cancellation costs; and

18 “(2) the Secretary of State determines that—

19 “(A) the need of the Government for the
20 property or service being acquired over the period
21 of the contract is reasonably firm and continuing;

22 “(B) such a contract will serve the best in-
23 terests of the United States by encouraging effec-
24 tive competition or promoting economies in per-
25 formance and operation; and

1 “(C) such a method of contracting will not
2 inhibit small business participation.

3 “(b) In the event that funds are not made available for
4 the continuation of such a contract into a subsequent fiscal
5 year, the contract shall be canceled and any cancellation
6 costs incurred shall be paid from appropriations originally
7 available for the performance of the contract, appropriations
8 currently available for the acquisition of similar property or
9 services and not otherwise obligated, or appropriations made
10 for such cancellation payments.”.

11 COMPENSATION FOR DISABILITY OR DEATH

12 SEC. 119. The State Department Basic Authorities Act
13 of 1956 is amended by inserting the following new section
14 immediately after section 15:

15 “SEC. 16. The first section of the Act of August 16,
16 1941 (42 U.S.C. 1651; commonly known as the ‘Defense
17 Base Act’) shall not apply with respect to such contracts as
18 the Secretary of State may determine which are contracts
19 with persons employed to perform work for the Department
20 of State or the Foreign Service on an intermittent basis for
21 not more than 90 days in a calendar year.”.

22 REGULATION OF FOREIGN MISSIONS

23 SEC. 120. (a) The State Department Basic Authorities
24 Act of 1956 is amended by striking out “That the Secretary”
25 in the first section and inserting in lieu thereof the following:

1 “TITLE I—BASIC AUTHORITIES GENERALLY

2 “SECTION 1. The Secretary”.

3 (b) That Act is further amended by adding at the end
4 thereof the following:

5 “TITLE II—AUTHORITIES RELATING TO THE
6 REGULATION OF FOREIGN MISSIONS

7 “DECLARATION OF FINDINGS AND POLICY

8 “SEC. 201. (a) The Congress finds that the operation in
9 the United States of foreign missions and public international
10 organizations and the official missions to such organizations,
11 including the permissible scope of their activities and the lo-
12 cation and size of their facilities, is a proper subject for the
13 exercise of Federal jurisdiction.

14 “(b) The Congress declares that it is the policy of the
15 United States to support the secure and efficient operation of
16 United States missions abroad, to facilitate the secure and
17 efficient operation in the United States of foreign missions
18 and public international organizations and the official mis-
19 sions to such organizations, and to assist in obtaining appro-
20 priate benefits, privileges, and immunities for those missions
21 and organizations and to require their observance of corre-
22 sponding obligations in accordance with international law.

23 “(c) The treatment to be accorded to a foreign mission
24 in the United States shall be determined by the United States
25 after due consideration of the benefits, privileges, and immu-

1 nities provided to missions of the United States in the coun-
2 try or territory represented by that foreign mission.

3 "DEFINITIONS

4 "SEC. 202. (a) For purposes of this title—

5 "(1) 'benefit' (with respect to a foreign mission)
6 means any acquisition, or authorization for an acquisi-
7 tion, in the United States by or for a foreign mission,
8 including the acquisition of—

9 "(A) real property by purchase, lease, ex-
10 change, construction, or otherwise,

11 "(B) public services, including services relat-
12 ing to customs, importation, and utilities, and the
13 processing of applications or requests relating to
14 public services,

15 "(C) supplies, maintenance, and transporta-
16 tion,

17 "(D) locally engaged staff on a temporary or
18 regular basis,

19 "(E) travel and related services, and

20 "(F) protective services,

21 and includes such other benefits as the Secretary may
22 designate;

23 "(2) 'chancery' means the principal offices of a
24 foreign mission used for diplomatic or related purposes,
25 and annexes to such offices (including ancillary offices

1 and support facilities), and includes the site and any
2 building on such site which is used for such purposes;

3 “(3) ‘Director’ means the Director of the Office of
4 Foreign Missions established pursuant to section
5 203(a);

6 “(4) ‘foreign mission’ means any official mission to
7 the United States involving diplomatic, consular, or
8 other governmental activities of—

9 “(A) a foreign government, or

10 “(B) an organization (other than an interna-
11 tional organization, as defined in section 209(b) of
12 this title) representing a territory or political
13 entity which has been granted diplomatic or other
14 official privileges and immunities under the laws
15 of the United States,

16 including any real property of such a mission and in-
17 cluding the personnel of such a mission;

18 “(5) ‘real property’ includes any right, title, or in-
19 terest in or to, or the beneficial use of, any real prop-
20 erty in the United States, including any office or other
21 building;

22 “(6) ‘Secretary’ means the Secretary of State;

23 “(7) ‘sending State’ means the foreign govern-
24 ment, territory, or political entity represented by a for-
25 eign mission; and

1 “(8) ‘United States’ means, when used in a geo-
2 graphic sense, the several States, the District of Co-
3 lumbia, the Commonwealth of Puerto Rico, and the
4 territories and possessions of the United States.

5 “(b) Determinations with respect to the meaning and
6 applicability of the terms used in subsection (a) shall be com-
7 mitted to the discretion of the Secretary.

8 “OFFICE OF FOREIGN MISSIONS

9 “SEC. 203. (a) The Secretary shall establish an Office of
10 Foreign Missions as an independent office within the Depart-
11 ment of State. The Office shall be headed by a Director,
12 appointed by the Secretary, who shall perform his or her
13 functions under the supervision and direction of the Secre-
14 tary. The Secretary may delegate this authority for supervi-
15 sion and direction of the Director only to the Deputy Secre-
16 tary of State or an Under Secretary of State.

17 “(b) The Secretary may authorize the Director to—

18 “(1) assist agencies of Federal, State, and munici-
19 pal government with regard to ascertaining and ac-
20 cording benefits, privileges, and immunities to which a
21 foreign mission may be entitled;

22 “(2) provide or assist in the provision of benefits
23 for or on behalf of a foreign mission in accordance with
24 section 204; and

1 “(3) perform such other functions as the Secretary
2 may determine necessary in furtherance of the policy of
3 this title.

4 “PROVISION OF BENEFITS

5 “SEC. 204. (a) Upon the request of a foreign mission,
6 benefits may be provided to or for that foreign mission by or
7 through the Director on such terms and conditions as the
8 Secretary may approve.

9 “(b) If the Secretary determines that such action is rea-
10 sonably necessary on the basis of reciprocity or otherwise—

11 “(1) to facilitate relations between the United
12 States and a sending State,

13 “(2) to protect the interests of the United States,

14 “(3) to adjust for costs and procedures of obtain-
15 ing benefits for missions of the United States abroad,
16 or

17 “(4) to assist in resolving a dispute affecting
18 United States interests and involving a foreign mission
19 or sending State,

20 then the Secretary may require a foreign mission (A) to
21 obtain benefits from or through the Director on such terms
22 and conditions as the Secretary may approve, or (B) to
23 comply with such terms and conditions as the Secretary may
24 determine as a condition to the execution or performance in
25 the United States of any contract or other agreement; the

1 acquisition, retention, or use of any real property; or the ap-
2 plication for or acceptance of any benefit (including any bene-
3 fit from or authorized by any Federal, State, or municipal
4 governmental authority, or any entity providing public
5 services).

6 “(c) Terms and conditions established by the Secretary
7 under this section may include—

8 “(1) a requirement to pay to the Director a sur-
9 charge or fee, and

10 “(2) a waiver by a foreign mission (or any
11 assignee of or person deriving rights from a foreign
12 mission) of any recourse against any governmental au-
13 thority, any entity providing public services, any em-
14 ployee or agent of such an authority or entity, or any
15 other person, in connection with any action determined
16 by the Secretary to be undertaken in furtherance of
17 this title.

18 “(d) For purposes of effectuating a waiver of recourse
19 which is required under this section, the Secretary may des-
20 ignate the Director or any other officer of the Department of
21 State as the agent of a foreign mission (or of any assignee of
22 or person deriving rights from a foreign mission). Any such
23 waiver by an officer so designated shall for all purposes (in-
24 cluding any court or administrative proceeding) be deemed to

1 be a waiver by the foreign mission (or the assignee of or
2 other person deriving rights from a foreign mission).

3 “(e) Neither the Director nor any other officer or em-
4 ployee of the Department of State may certify or otherwise
5 authenticate the accredited diplomatic status of a total of
6 more than two persons for each foreign mission for the pur-
7 pose of facilitating, directly or indirectly, the issuance to any
8 such person of a diplomatic license plate for any motor vehi-
9 cle by any Federal, State, or local governmental agency.

10 “PROPERTY OF FOREIGN MISSIONS

11 “SEC. 205. (a)(1) The Secretary may require any for-
12 eign mission to notify the Director prior to any proposed ac-
13 quisition, or any proposed sale or other disposition, of any
14 real property by or on behalf of such mission. If such a notifi-
15 cation is required, the foreign mission (or other party acting
16 on behalf of the foreign mission) may initiate or execute any
17 contract, proceeding, application, or other action required for
18 the proposed action—

19 “(A) only after the expiration of the sixty-day
20 period beginning on the date of such notification (or
21 after the expiration of such shorter period as the Sec-
22 retary may specify in a given case); and

23 “(B) only if the mission is not notified by the Sec-
24 retary within that period that the proposal has been
25 disapproved; however, the Secretary may include in

1 such a notification such terms and conditions as the
2 Secretary may determine appropriate in order to
3 remove the disapproval.

4 “(2) For purposes of this section, ‘acquisition’ includes
5 any acquisition or alteration of, or addition to, any real prop-
6 erty or any change in the purpose for which real property is
7 used by a foreign mission.

8 “(b) The Secretary may require any foreign mission to
9 divest itself of, or forgo the use of, any real property deter-
10 mined by the Secretary—

11 “(1) not to have been acquired in accordance with
12 this section; or

13 “(2) to exceed limitations placed on real property
14 available to a United States mission in the sending
15 State.

16 “(c) If a foreign mission has ceased conducting diplo-
17 matic, consular, and other governmental activities in the
18 United States and there is not a protecting power or other
19 agent designated by the sending State and approved by the
20 Secretary which is responsible for the property of that foreign
21 mission, the Secretary—

22 “(1) until the designation of a protecting power or
23 other agent approved by the Secretary, may protect
24 and preserve any property of that foreign mission; and

“(2) may authorize the Director to dispose of such property at such time as the Secretary may determine after the expiration of the one-year period beginning on the date that the foreign mission ceased those activities, and may remit to the sending State the net proceeds from such disposition.

7 "LOCATION OF FOREIGN MISSIONS IN THE DISTRICT OF
8 COLUMBIA

9 “SEC. 206. (a) In order to ensure the fulfillment of the
10 international obligations of the United States and the policy
11 of this title, the location, replacement, or expansion of any
12 building or other real property in the District of Columbia
13 which is used for the diplomatic, consular, or other govern-
14 mental activities (except property used exclusively for resi-
15 dential purposes) of a foreign mission shall be subject to the
16 approval of the District of Columbia Foreign Missions Com-
17 mission as provided in this section.

18 “(b)(1) There is hereby created, as an independent
19 agency of the District of Columbia, the District of Columbia
20 Foreign Missions Commission (hereafter in this section re-
21 ferred to as the ‘Foreign Missions Commission’) which shall
22 consist of the five members of the Zoning Commission for the
23 District of Columbia (as such members are designated by sec-
24 tion 492(a) of the District of Columbia Self-Government and
25 Governmental Reorganization Act (D.C. Code, sec. 5-412)),

1 the Chairman of the National Capital Planning Commission,
2 and the Secretary of Defense, or such alternate as each such
3 person may be designated from time to time.

4 “(2) While actually engaged in the performance of
5 duties as a member of the Foreign Missions Commission, the
6 Chairman of the National Capital Planning Commission (or
7 the alternate designated by the Chairman) shall be compen-
8 sated by the District of Columbia in the manner and at the
9 rates applicable to the members of the Zoning Commission
10 for the District of Columbia who are appointed by the Mayor.

11 “(3) The Mayor of the District of Columbia shall furnish
12 such facilities and administrative services, and shall assign
13 such employees, to the Foreign Missions Commission as may
14 be required by the Commission to carry out this section.

15 “(c) The Foreign Missions Commission shall—

16 “(1) establish areas within which chanceries may
17 be located as a matter of right, and

18 “(2) establish additional areas within which chan-
19 ceries may be located.

20 Limitations on chancery uses shall not exceed those applica-
21 ble to any other nonresidential use in the areas so estab-
22 lished.

23 “(d) Any determination by the Foreign Missions Com-
24 mission pursuant to this section, including the establishment
25 of areas in accordance with paragraphs (1) and (2) of subsec-

1 tion (c), shall be considered rulemaking under the District of
2 Columbia Administrative Procedure Act (D.C. Code, secs.
3 1-1501—1-1510).

4 “(e) Any determination by the Foreign Missions Com-
5 mission with respect to chanceries pursuant to this section,
6 including the establishment of areas in accordance with para-
7 graphs (1) and (2) of subsection (c), shall be based solely on
8 the following criteria:

9 “(1) The obligation of the United States to facili-
10 tate the provision of adequate and secure facilities for
11 foreign missions in the Nation’s Capital.

12 “(2) The chancery is in or adjacent to an area,
13 determined on the basis of existing or planned uses, of
14 (A) commercial use, or (B) mixed uses, including resi-
15 dential, commercial, office, or institutional use.

16 “(3) Historic preservation, as determined by the
17 Foreign Missions Commission in carrying out this sec-
18 tion; except that substantial compliance with District
19 and Federal laws governing historic preservation shall
20 be required with respect to new construction and to
21 demolition of or alteration to historic landmarks, in
22 order to ensure compatibility with historic landmarks
23 and districts.

24 “(4) The adequacy of off-street or other parking
25 and the extent to which the area will be served by

1 public transportation to reduce parking requirements,
2 subject to such special security requirements as may be
3 determined by the Secretary.

4 “(5) The extent to which the area will have ade-
5 quate public facilities, utilities, and services, including
6 streets, street lighting, water, sewer, electricity, tele-
7 phone, and refuse collection.

8 “(6) The extent to which the area is capable of
9 being adequately protected, as determined by a Federal
10 agency authorized to perform protective services.

11 “(7) The municipal interest, as determined by the
12 Mayor of the District of Columbia.

13 “(8) The Federal interest, as determined by the
14 Secretary.

15 Any other determination by the Foreign Missions Commis-
16 sion pursuant to this section shall be based solely on the cri-
17 teria specified in paragraphs (1), (3), (6), (7), and (8), and
18 such other criteria as the Commission may by regulation
19 establish.

20 “(f)(1) The regulations, proceedings, and other actions
21 of the Foreign Missions Commission pursuant to this section
22 shall not be inconsistent with Federal elements of the com-
23 prehensive plan for the National Capital. All elements of the
24 comprehensive plan relating to the location of foreign mis-

1 sions shall be based solely on the criteria set forth in this
2 section and shall reflect the policy of this title.

3 “(2) Proposed determinations by the Foreign Missions
4 Commission shall be referred to the National Capital Plan-
5 ning Commission for review and comment.

6 “(g) The Foreign Missions Commission shall promulgate
7 such regulations as it determines are necessary for it to carry
8 out this section.

9 “(h) This section shall not be construed to authorize,
10 and the regulations of the Foreign Missions Commission shall
11 not provide for or require, procedures in the nature of a spe-
12 cial exception or administrative proceedings of an adjudica-
13 tory nature.

14 “(i) In any proceeding with respect to approval of the
15 location, replacement, or expansion of real property of a for-
16 eign mission pursuant to this section, the final determination
17 by the Foreign Missions Commission shall be made not later
18 than 6 months after the date of filing an application for such
19 approval. Any such determination shall not be subject to ad-
20 ministrative proceedings of any other agency or official
21 except as provided in this title. Any such determination by
22 the Foreign Missions Commission shall ensure the fulfillment
23 of the obligation of the United States to facilitate the provi-
24 sion of adequate and secure facilities for foreign missions and

1 shall take into account special security requirements as deter-
2 mined by the Secretary.

3 “(j) The Secretary shall require foreign missions to
4 comply substantially with District of Columbia building and
5 related codes in a manner determined by the Secretary to be
6 not inconsistent with the international obligations of the
7 United States.

8 “(k) The United States, acting on its own behalf or on
9 behalf of a foreign mission—

10 “(1) has standing to bring an action for judicial
11 review of a determination by the Foreign Missions
12 Commission under this section or, where appropriate,
13 for judicial enforcement of the requirements of this sec-
14 tion applicable to the Commission; and

15 “(2) has standing to intervene in any such action
16 which is otherwise pending.

17 “(l) Approval by the Foreign Missions Commission
18 under this section or, except as provided in section 205, by
19 any other agency or official is not required—

20 “(1) for the location, replacement, or expansion of
21 real property of a foreign mission to the extent—

22 “(A) that authority to proceed with respect
23 to such location, replacement, or expansion was
24 granted to the foreign mission before the date of
25 enactment of this section, or

1 “(B) that rights or interests with respect to
2 such location, replacement, or expansion were
3 otherwise acquired by the foreign mission before
4 the date of enactment of this section; or

5 “(2) for continuing use of real property by a for-
6 eign mission for diplomatic, consular, or other govern-
7 mental activity to the extent that such property was
8 being used by that foreign mission for that activity on
9 the date of enactment of this section.

10 “PREEMPTION

11 “SEC. 207. Notwithstanding any other provision of law,
12 no act of any Federal agency or of any State or municipal
13 governmental authority shall be effective to confer or deny
14 any benefits with respect to any foreign mission contrary to
15 this title.

16 “GENERAL PROVISIONS

17 “SEC. 208. (a) The Secretary may issue such regula-
18 tions as the Secretary may determine necessary to carry out
19 the policy of this title.

20 “(b) Compliance with any regulation, instruction, or di-
21 rection issued by the Secretary under this title shall to the
22 extent thereof be a full acquittance and discharge for all pur-
23 poses of the obligation of the person making the same. No
24 person shall be held liable in any court or administrative pro-
25 ceeding for or with respect to anything done or omitted in

1 good faith in connection with the administration of, or pursu-
2 ant to and in reliance on, this title, or any regulation, instruc-
3 tion, or direction issued by the Secretary under this title.

4 “(c) For purposes of administering this title—

5 “(1) the Secretary may accept details and assign-
6 ments of employees of Federal agencies to the Office of
7 Foreign Missions on a reimbursable or nonreimbursable
8 basis (with any such reimbursements to be credited to
9 the appropriations made available for the salaries and
10 expenses of officers and employees of the employing
11 agency); and

12 “(2) the Secretary may, to the extent necessary
13 to obtain services without delay, exercise his authority
14 to employ experts and consultants under section 3109
15 of title 5, United States Code, without requiring com-
16 pliance with such otherwise applicable requirements for
17 that employment as the Secretary may determine,
18 except that such employment shall be terminated after
19 60 days if by that time those requirements are not
20 complied with.

21 “(d) Contracts and subcontracts for supplies or services,
22 including personal services, made by or on behalf of the Di-
23 rector, shall be made after advertising, in such manner and at
24 such times as the Secretary shall determine to be adequate to
25 ensure notice and opportunity for competition, except that

1. advertisement shall not be required when (1) the Secretary determines that it is impracticable or will not permit timely performance to obtain bids by advertising, or (2) the aggregate amount involved in a purchase of supplies or procurement of services does not exceed \$10,000. Such contracts and subcontracts may be entered into without regard to laws and regulations otherwise applicable to solicitation, negotiation, administration, and performance of government contracts. In awarding contracts, the Secretary may consider such factors as relative quality and availability of supplies or services and the compatibility of the supplies or services with implementation of this title.

“(e) The head of any Federal agency may, for purposes of this title—

“(1) transfer or loan any property to, and perform administrative and technical support functions and services for the operations of, the Office of Foreign Missions (with reimbursements to agencies under this paragraph to be credited to the current applicable appropriation of the agency concerned); and

“(2) acquire and accept services from the Office of Foreign Missions, including (whenever the Secretary determines it to be in furtherance of the purposes of this title) acquisitions without regard to laws normally

1 applicable to the acquisition of services by such
2 agency.

3 “(f) Assets of or under the control of the Office of For-
4 eign Missions, wherever situated, which are used by or held
5 for the use of a foreign mission shall not be subject to attach-
6 ment, execution, injunction, or similar process, whether inter-
7 mediate or final.

8 “(g) Except as otherwise provided, any determination
9 required under this title shall be committed to the discretion
10 of the Secretary. Actions taken under the authority of this
11 title shall not be considered rulemaking within the meaning
12 of section 553 of title 5, United States Code.

13 “(h)(1) In order to implement this title, the Secretary
14 may transfer such amounts available to the Department of
15 State as may be necessary to the working capital fund estab-
16 lished by section 13 of this Act.

17 “(2) Notwithstanding any other provision of law, all
18 revenues, including proceeds from gifts and donations, re-
19 ceived by the Director or the Secretary in carrying out this
20 title may be credited to the working capital fund established
21 by section 13 of this Act and shall be available for purposes
22 of this title in accordance with that section.

1 "APPLICATION TO PUBLIC INTERNATIONAL ORGANIZA-
2 TIONS AND OFFICIAL MISSIONS TO SUCH ORGANIZA-
3 TIONS

4 "SEC. 209. (a) The Secretary may make section 206, or
5 any other provision of this title, applicable with respect to an
6 international organization to the same extent that it is appli-
7 cable with respect to a foreign mission if the Secretary deter-
8 mines that such application is necessary to carry out the
9 policy set forth in section 201(b) and to further the objectives
10 set forth in section 204(b).

11 "(b) For purposes of this section, 'international organi-
12 zation' means—

13 "(1) a public international organization designated
14 as such pursuant to the International Organizations
15 Immunities Act (22 U.S.C. 288—288f-2) or other law
16 authorizing such status; or

17 "(2) an official mission (other than a United
18 States mission) to such a public international organiza-
19 tion,

20 including any real property of such an organization or mis-
21 sion and including the personnel of such an organization or
22 mission.

23 "PRIVILEGES AND IMMUNITIES

24 "SEC. 210. Nothing in this title shall be construed to
25 limit the authority of the United States to carry out its inter-

1 national obligations, or to supersede or limit immunities oth-
2 erwise available by law. No act or omission by any foreign
3 mission, public international organization, or official mission
4 to such an organization, in compliance with this title, shall be
5 deemed to be an implied waiver of any immunity otherwise
6 provided for by law.

7 "ENFORCEMENT

8 "SEC. 211. It shall be unlawful for any person to make
9 available any benefits to a foreign mission contrary to this
10 title. In addition to means of enforcement otherwise availa-
11 ble, this title shall be enforceable in any appropriate district
12 court of the United States by injunctive or other relief upon
13 application by the Attorney General.

14 "SEVERABILITY

15 "SEC. 212. If any provision of this title or the applica-
16 tion thereof to any person or circumstance is held invalid, the
17 remainder of this title and the application of such provision to
18 any other person or circumstance shall not be affected
19 thereby."

20 (c) Section 13 of the State Department Basic Authori-
21 ties Act of 1956 (22 U.S.C. 2684) is amended in the first
22 sentence by striking out "and" following the semicolon at the
23 end of clause (3), and by inserting immediately before the
24 period at the end thereof "; and (5) services and supplies to
25 carry out title II of this Act".

1 (d)(1) Subparagraph (A) of section 2(1) of the Diplomatic
2 Relations Act (22 U.S.C. 254a(1)(A)) is amended to read as
3 follows:

4 “(A) the head of a mission and those mem-
5 bers of a mission who are members of the diplo-
6 matic staff or who, pursuant to law, are granted
7 equivalent privileges and immunities,”.

8 (2) Section 3(b) of such Act (22 U.S.C. 254b) is amend-
9 ed to read as follows:

10 “(b) With respect to a nonparty to the Vienna Conven-
11 tion, the mission, the members of the mission, their families,
12 and diplomatic couriers shall enjoy the privileges and immu-
13 nities specified in the Vienna Convention.”.

14 (3) Section 4 of such Act (22 U.S.C. 254c) is amend-
15 ed—

16 (A) by inserting “the mission, the” immediately
17 after “immunities for”; and

18 (B) by striking out “of any sending state”.

19 (4) Section 1364 of title 28, United States Code, is
20 amended by striking out “as defined in the Vienna Conven-
21 tion on Diplomatic Relations” and inserting in lieu thereof
22 “within the meaning of section 2(3) of the Diplomatic Rela-
23 tions Act (22 U.S.C. 254a(3))”.

24 (e) The Act of June 20, 1938 (Public Law 684, 75th
25 Congress; 52 Stat. 797) is amended—

1 (1) in section 6 by striking out "(a)", and by strik-
2 ing out subsections (b), (c), (d), and (e); and

3 (2) in section 16 by adding at the end thereof the
4 following new sentence: "In addition, the provisions of
5 this Act shall not apply to any real property to which
6 section 206(a) of the State Department Basic Authori-
7 ties Act of 1956 (relating to foreign missions) is appli-
8 cable.".

9 REOPENING CERTAIN UNITED STATES CONSULATES

10 SEC. 121. (a) None of the funds made available under
11 this or any other Act for the "Administration of Foreign Af-
12 fairs" may be used for the establishment or operation of any
13 United States consulate that did not exist on the date of en-
14 actment of this Act (other than the consulates specified in
15 subsection (b) of this section) unless all of the United States
16 consulates specified in subsection (b) of this section have been
17 reopened as required by section 108 of the Department of
18 State Authorization Act, Fiscal Years 1980 and 1981.

19 (b) The consulates referred to in subsection (a) of this
20 section are the consulates in the following locations: Turin,
21 Italy; Salzburg, Austria; Goteborg, Sweden; Bremen, Ger-
22 many; Nice, France; Mandalay, Burma; and Brisbane, Aus-
23 tralia.

1 UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND
2 CULTURAL ORGANIZATION

3 SEC. 122. (a) The Congress finds that—

4 (1) a free press is vital to the functioning of free
5 governments;

6 (2) Article 19 of the Universal Declaration of
7 Human Rights provides for the right to freedom of ex-
8 pression and to “seek, receive and impart information
9 and ideas through any media regardless of frontiers”;

10 (3) the Constitution of the United Nations Educa-
11 tional, Scientific, and Cultural Organization provides
12 for the promotion of “the free flow of ideas by words
13 and images”;

14 (4) the signatories of the Final Act of the Confer-
15 ence on Security and Cooperation in Europe (Helsinki,
16 1975) pledged themselves to foster “freer flow and
17 wider dissemination of information of all kinds, to en-
18 courage cooperation in the field of information and the
19 exchange of information with other countries, and to
20 improve conditions under which journalists from one
21 participating State exercise their profession in another
22 participating State”; and

23 (5) government censorship, domination, or sup-
24 pression of a free press is a danger to free men and
25 women everywhere.

1 (b) Therefore, it is the sense of the Congress that the
2 United Nations Educational, Scientific, and Cultural Organi-
3 zation should cease efforts to attempt to regulate news con-
4 tent and to formulate rules and regulations for the operation
5 of the world press.

6 (c) The Congress opposes efforts by some countries to
7 control access to and dissemination of news.

8 (d) The President shall evaluate and, not later than six
9 months after the date of enactment of this Act, shall report to
10 the Congress his assessment of—

11 (1) the extent to which United States financial
12 contributions to the United Nations Educational, Scien-
13 tific, and Cultural Organization, and the extent to
14 which the programs and activities of that Organization,
15 serve the national interests of the United States;

16 (2) the programs and activities of the United Na-
17 tions Educational, Scientific, and Cultural Organiza-
18 tion, especially its programs and activities in the com-
19 munications sector; and

20 (3) the quality of United States participation in
21 the United Nations Educational, Scientific, and Cul-
22 tural Organization, including the quality of United
23 States diplomatic efforts with respect to that Organiza-
24 tion, the quality of United States representation in the
25 Secretariat of that Organization, and the quality of re-

1 cruitment of United States citizens to be employed by
2 that Organization.

3 Such report should include the President's recommendations
4 regarding any improvements which should be made in the
5 quality and substance of United States representation in the
6 United Nations Educational, Scientific, and Cultural Organi-
7 zation.

8 TITLE II—INTERNATIONAL COMMUNICATION

9 AGENCY

10 SHORT TITLE

11 SEC. 201. This title may be cited as the "International
12 Communication Agency Authorization Act, Fiscal Years
13 1982 and 1983".

14 AUTHORIZATIONS OF APPROPRIATIONS

15 SEC. 202. There are authorized to be appropriated for
16 the International Communication Agency \$494,034,000 for
17 the fiscal year 1982 and \$482,340,000 for the fiscal year
18 1983 to carry out international communication, educational,
19 cultural, and exchange programs under the United States In-
20 formation and Educational Exchange Act of 1948, the
21 Mutual Educational and Cultural Exchange Act of 1961, and
22 Reorganization Plan Numbered 2 of 1977, and other pur-
23 poses authorized by law.

1 CHANGES IN ADMINISTRATIVE AUTHORITIES

2 SEC. 203. (a)(1) Title III of the United States Informa-
3 tion and Educational Exchange Act of 1948 (22 U.S.C.
4 1451-1453) is amended—

5 (A) in section 301 by striking out “citizen of the
6 United States” and inserting in lieu thereof “person”;
7 and

8 (B) in sections 302 and 303 by striking out “citi-
9 zen of the United States” and inserting in lieu thereof
10 “person in the employ or service of the Government of
11 the United States”.

12 (2) Such title is further amended—

13 (A) in section 301—

14 (i) by striking out “Secretary” the first place
15 it appears and inserting in lieu thereof “Director
16 of the International Communication Agency”, and

17 (ii) by striking out “Secretary” the second
18 place it appears and inserting in lieu thereof “Di-
19 rector”; and

20 (B) in section 303 by striking out “Secretary”
21 and inserting in lieu thereof “Director of the Interna-
22 tional Communication Agency”.

23 (3) Section 302 of such Act is amended—

24 (A) in the second sentence by striking out “sec-
25 tion 901(3) of the Foreign Service Act of 1946 (60

1 Stat. 999)" and inserting in lieu thereof "section 905
2 of the Foreign Service Act of 1980"; and

3 (B) in the last sentence by striking out "section
4 1765 of the Revised Statutes" and inserting in lieu
5 thereof "section 5536 of title 5, United States Code".

6 (b) Section 802 of such Act (22 U.S.C. 1472) is
7 amended—

8 (1) by inserting "(a)" immediately after "SEC.
9 802."; and

10 (2) by adding at the end thereof the following new
11 subsection:

12 "(b)(1) Any contract authorized by subsection (a) and
13 described in paragraph (3) of this subsection which is funded
14 on the basis of annual appropriations may nevertheless be
15 made for periods not in excess of five years when—

16 "(A) appropriations are available and adequate for
17 payment for the first fiscal year and for all potential
18 cancellation costs; and

19 "(B) the Director of the International Communi-
20 cation Agency determines that—

21 "(i) the need of the Government for the
22 property or service being acquired over the period
23 of the contract is reasonably firm and continuing;

24 "(ii) such a contract will serve the best inter-
25 ests of the United States by encouraging effective

1 competition or promoting economies in perform-
2 ance and operation; and

3 “(iii) such method of contracting will not in-
4 hibit small business participation.

5 “(2) In the event that funds are not made available for
6 the continuation of such a contract into a subsequent fiscal
7 year, the contract shall be canceled and any cancellation
8 costs incurred shall be paid from appropriations originally
9 available for the performance of the contract, appropriations
10 currently available for the acquisition of similar property or
11 services and not otherwise obligated, or appropriations made
12 for such cancellation payments.

13 “(3) This subsection applies to contracts for the procure-
14 ment of property or services, or both, for the operation, main-
15 tenance, and support of programs, facilities, and installations
16 for or related to telecommunication activities, newswire serv-
17 ices, and the distribution of books and other publications in
18 foreign countries.”.

19 (c) Paragraph (16) of section 804 of such Act (22
20 U.S.C. 1474(16)) is amended by inserting “and security” im-
21 mediately after “right-hand drive”.

22 (d) Title VIII of such Act (22 U.S.C. 1471-1475b) is
23 amended by adding at the end thereof the following new
24 section:

1 “ACTING ASSOCIATE DIRECTORS

2 “SEC. 808. If an Associate Director of the International
3 Communication Agency dies, resigns, or is sick or absent, the
4 Associate Director's principal assistant shall perform the
5 duties of the office until a successor is appointed or the ab-
6 sence or sickness stops.”.

7 (e) Title VIII of such Act is further amended by adding
8 at the end thereof the following new section:

9 “COMPENSATION FOR DISABILITY OR DEATH

10 “SEC. 809. A cultural exchange, international fair or
11 exposition, or other exhibit or demonstration of United States
12 economic accomplishments and cultural attainments, pro-
13 vided for under this Act or the Mutual Educational and Cul-
14 tural Exchange Act of 1961 shall not be considered a ‘public
15 work’ as that term is defined in the first section of the Act of
16 August 16, 1941 (42 U.S.C. 1651; commonly known as the
17 ‘Defense Base Act’).”.

18 (f) Section 1011(h) of such Act (22 U.S.C. 1442(h)) is
19 amended by adding at the end thereof the following new
20 paragraph:

21 “(4) Section 701(a) of this Act shall not apply with re-
22 spect to any amounts appropriated under this section for the
23 purpose of liquidating the notes (and any accrued interest
24 thereon) which were assumed in the operation of the informa-
25 tional media guaranty program under this section and which

1 were outstanding on the date of enactment of this para-
2 graph.”.

3 DISTRIBUTION WITHIN THE UNITED STATES OF THE FILM
4 ENTITLED “REFLECTIONS: SAMUEL ELIOTT MORI-
5 SON”

6 SEC. 204. (a) Notwithstanding the second sentence of
7 section 501 of the United States Information and Educa-
8 tional Exchange Act of 1948 (22 U.S.C. 1461)—

9 (1) the Director of the International Communica-
10 tion Agency shall make available to the Administrator
11 of General Services a master copy of the film entitled
12 “Reflections: Samuel Eliott Morison”; and

13 (2) the Administrator shall reimburse the Director
14 for any expenses of the Agency in making that master
15 copy available, shall secure any licenses or other rights
16 required for distribution of that film within the United
17 States, shall deposit that film in the National Archives
18 of the United States, and shall make copies of that film
19 available for purchase and public viewing within the
20 United States.

21 (b) Any reimbursement to the Director pursuant to this
22 section shall be credited to the applicable appropriation of the
23 International Communication Agency.

1 DISTRIBUTION WITHIN THE UNITED STATES OF THE FILM
2 ENTITLED "AND NOW MIGUEL"

3 SEC. 205. (a) Notwithstanding the second sentence of
4 section 501 of the United States Information and Education-
5 al Exchange Act of 1948 (22 U.S.C. 1461)—

6 (1) the Director of the International Communica-
7 tion Agency shall make available to the Administrator
8 of General Services a master copy of the film entitled
9 "And Now Miguel"; and

10 (2) the Administrator shall reimburse the Director
11 for any expenses of the Agency in making that master
12 copy available, shall secure any licenses or other rights
13 required for distribution of that film within the United
14 States, shall deposit that film in the National Archives
15 of the United States, and shall make copies of that film
16 available for purchase and public viewing within the
17 United States.

18 (b) Any reimbursement to the Director pursuant to this
19 section shall be credited to the applicable appropriation of the
20 International Communication Agency.

21 REDESIGNATION OF THE INTERNATIONAL COMMUNICA-
22 TION AGENCY AS THE UNITED STATES INFORMATION
23 AGENCY

24 SEC. 206. (a) The International Communication
25 Agency, established by Reorganization Plan Numbered 2 of

1 1977, is hereby redesignated the United States Information
2 Agency. The Director of the International Communication
3 Agency or any other official of the International Communica-
4 tion Agency is hereby redesignated the Director or other offi-
5 cial, as appropriate, of the United States Information
6 Agency.

7 (b) Any reference in any statute, reorganization plan,
8 Executive order, regulation, agreement, determination, or
9 other official document or proceeding to the International
10 Communication Agency or the Director or other official of
11 the International Communication Agency shall be deemed to
12 refer respectively to the United States Information Agency
13 or the Director or other official of the United States Informa-
14 tion Agency, as so redesignated by subsection (a).

15 (c) This section shall take effect on January 1, 1982.

16 TITLE III—BOARD FOR INTERNATIONAL
17 BROADCASTING

18 SHORT TITLE

19 SEC. 301. This title may be cited as the "Board for
20 International Broadcasting Authorization Act, Fiscal Years
21 1982 and 1983".

22 AUTHORIZATIONS OF APPROPRIATIONS

23 SEC. 302. Subparagraph (A) of section 8(a)(1) of the
24 Board for International Broadcasting Act of 1973 (22 U.S.C.
25 2877(a)(1)(A)) is amended to read as follows:

1 “(A) \$100,300,000 for the fiscal year 1981,
2 \$86,519,000 for the fiscal year 1982, and \$98,317,000
3 for the fiscal year 1983; and”.

4 **TITLE IV—MISCELLANEOUS PROVISIONS**

5 **INTER-AMERICAN FOUNDATION**

6 **SEC. 401.** (a) The first sentence of section 401(s)(2) of
7 the Foreign Assistance Act of 1969 (22 U.S.C. 290f(s)(2)) is
8 amended by striking out “\$25,000,000 for each of the fiscal
9 years 1979 and 1980” and inserting in lieu thereof
10 “\$10,560,000 for the fiscal year 1982 and \$12,800,000 for
11 the fiscal year 1983”.

12 (b) Section 401(h) of that Act (22 U.S.C. 290f(h)) is
13 amended by striking out “actual and necessary expenses not
14 in excess of \$50 per day, and for transportation expenses”
15 and inserting in lieu thereof “travel expenses, including per
16 diem in lieu of subsistence, in accordance with section 5703
17 of title 5, United States Code”.

18 **SCIENTIFIC EXCHANGE ACTIVITIES WITH THE SOVIET**

19 **UNION**

20 **SEC. 402.** (a) Prior to renewal of the General Agree-
21 ment on Contacts, Exchanges and Cooperation between the
22 United States and the Union of Soviet Socialist Republics,
23 and prior to resumption of high-level meetings or of planning
24 for future exchange activities or to increasing significantly
25 individual exchange activities pursuant to the eleven agree-

1 ments for cooperation in specialized fields which were en-
2 tered into by United States and the Union of Soviet Socialist
3 Republics between 1972 and 1974, or by June 1, 1982
4 (whichever occurs first), the Secretary of State shall submit
5 to the Speaker of the House of Representatives and chairman
6 of the Committee on Foreign Relations of the Senate a report
7 containing—

8 (1) an assessment of the risk of the transfer to the
9 Soviet Union of militarily significant technology
10 through research, exchanges, and other activities con-
11 ducted pursuant to those agreements; and

12 (2) a detailed description on the exchanges and
13 other activities conducted pursuant to those agree-
14 ments during fiscal year 1979, fiscal year 1980, and
15 fiscal year 1981, including—

16 (A) the areas of cooperation,

17 (B) the specific research and projects in-
18 volved,

19 (C) the man-hours spent in short-term (less
20 than sixty days) and long-term exchanges,

21 (D) the level of United States and Soviet
22 funding in each such fiscal year, and

23 (E) an assessment of the equality or inequal-
24 ity in value of the information exchanged.

1 (b) The Secretary of State shall prepare the report re-
2 quired by subsection (a) in consultation and cooperation with
3 the Secretary of Defense and the heads of the other agencies
4 involved in the exchange and other cooperative activities
5 conducted pursuant to the agreements described in that sub-
6 section.

7 (c) No funds appropriated for the Department of State
8 or the International Communication Agency may be obli-
9 gated or expended after June 30, 1982, to finance any long-
10 term scientific or technological exchange between the United
11 States and the Soviet Union, including any long-term scien-
12 tific or technological exchange program of the United States-
13 Union of Soviet Socialist Republics Graduate Student/Young
14 Faculty Exchange or of the United States-Union of Soviet
15 Socialist Republics Senior Scholar Exchange.

16 REPORT TO THE CONGRESS

17 SEC. 403. (a) Not later than sixty days after the date of
18 enactment of this Act, the President shall prepare and trans-
19 mit to the Congress a full and complete report on the total
20 cost of Federal, State, and local efforts to assist refugees and
21 Cuban and Haitian entrants within the United States or
22 abroad for each of the fiscal years 1981 and 1982. Such
23 report shall include and set forth for each such fiscal year—

1 (1) the costs of assistance for resettlement of refu-
2 gees and Cuban and Haitian entrants within the
3 United States or abroad;

4 (2) the costs of United States contributions to for-
5 eign governments, international organizations, or other
6 agencies which are attributable to assistance for refu-
7 gees and Cuban and Haitian entrants;

8 (3) the costs of Federal, State, and local efforts
9 other than described in paragraphs (1) and (2) to assist,
10 and provide services for, refugees and Cuban and Hai-
11 tian entrants;

12 (4) administrative and operating expenses of Fed-
13 eral, State, and local governments that are attributable
14 to programs of assistance or services described in para-
15 graphs (1), (2), and (3); and

16 (5) administrative and operating expenses incurred
17 by the United States because of the entry of such
18 aliens into the United States.

19 (b) For purposes of this section—

20 (1) the term “refugees” is used within the mean-
21 ing of paragraph (42) of section 101(a) of the Immigra-
22 tion and Nationality Act; and

23 (2) the phrase “Cubans and Haitian entrants”
24 means Cuban and Haitians paroled into the United
25 States, pursuant to section 212(d)(5) of the Immigra-

1 tion and Nationality Act, during 1980 who have not
2 been given or denied refugee status under the Immi-
3 gration and Nationality Act.

4 SUPPORTING IMPLEMENTATION OF THE WORLD HEALTH
5 ORGANIZATION VOLUNTARY CODE ON INFANT FORMULA

6 SEC. 404. (a) The Congress finds that—

7 (1) there is overwhelming scientific evidence that
8 breastfeeding has substantial advantages for infant
9 health and growth, that it offers an uncontaminated
10 food supply, an early transfer of antibodies protective
11 against infectious diseases, and a naturally evolved and
12 tested nutritional source, and that it is an important
13 factor in bonding between mother and child;

14 (2) numerous studies, in a wide variety of devel-
15 oped and developing countries, over a long period of
16 time, have shown that artificial infant feeding is associ-
17 ated with higher rates of illness and death and, in poor
18 communities, with lessened growth and nutrition;

19 (3) the problem of unrefrigerated infant formula
20 prepared with polluted water and placed in inadequate-
21 ly cleaned bottles is further complicated by flies and
22 heat in tropical climates;

23 (4) one hundred million of the one hundred and
24 twenty-five million children in the world below the age
25 of one are born in developing countries;

1 (5) ten million of these one hundred million chil-
2 dren will probably not live until their first birthday;

3 (6) diarrhea and other infectious diseases, when
4 combined with the problems of malnutrition, account
5 for more than half of these deaths;

6 (7) the use of infant formula rather than breast-
7 feeding is estimated to account for up to a million of
8 these deaths per year; and

9 (8) at a recent meeting of the World Health Orga-
10 nization, the United States was the only country, in a
11 one hundred and eighteen to one vote, to vote against
12 a voluntary code to encourage breastfeeding and to
13 curb inappropriate marketing and advertising of infant
14 formula, particularly in the Third World.

15 (b) Therefore, the Congress—

16 (1) expresses its dismay at the negative vote cast
17 by the United States on May 21, 1981, at the Thirty-
18 Fourth World Health Assembly of the World Health
19 Organization on the "International Code of Marketing
20 of Breastmilk Substitutes";

21 (2) urges the administration to notify promptly the
22 World Health Organization that the Government of the
23 United States will cooperate fully with other nations in
24 implementation of that code;

1 (3) urges the United States infant formula indus-
2 try to abide by the guidelines of that code, particularly
3 with respect to exports and the activities of subsidiar-
4 ies in developing countries; and

5 (4) reaffirms the dedication of the United States to
6 the protection of the lives of all the world's children
7 and the support of the United States for efforts to im-
8 prove world health.

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